

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

ROSALIND RHODES, on behalf of  
MICHAEL L. RHODES,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Commissioner of Social Security,

Defendant.

No. 3:14-CV-130

**MEMORANDUM OPINION**

This Social Security appeal is before the court on the Report and Recommendation filed by United States Magistrate Judge C. Clifford Shirley [Doc. 18]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of the record and the parties' pleadings, the Court is in complete agreement with the Magistrate Judge's recommendation that plaintiff's motion for judgment on the pleadings be denied, and the Commissioner's motion for summary judgment be granted. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling, that the plaintiff's motion for judgment on the

pleadings [Doc. 13] is **DENIED**; the Commissioner's motion for summary judgment [Doc. 14] is **GRANTED**; the Commissioner's decision in this case denying plaintiff's application for benefits under the Social Security Act is **AFFIRMED**; and this case is **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas W. Phillips  
SENIOR UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT  
*s/ Debra C. Poplin*  
CLERK OF COURT